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|---|----------------------|------------------------|-----------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/989315 | |
| | Filing Date | 11/20/01 | |
| | First Named Inventor | Zampetti | |
| | Art Unit | 2816 | |
| | Examiner Name | Nguyen, Minh T. | |
| Total Number of Pages in This Submission | 7 | Attorney Docket Number | Symm 1210 |

| ENCLOSURES (Check all that apply) | | |
|---|---|--|
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| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|-------------------------|-------------------------|--|
| Firm or Individual name | John Bruckner PC | |
| Signature | <i>John J. Bruckner</i> | |
| Date | July 7, 2004 | |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | |
|-----------------------|-------------------------|-------------------|
| Typed or printed name | John J. Bruckner | |
| Signature | <i>John J. Bruckner</i> | Date July 7, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73
AND POWER OF ATTORNEY WITH REVOCATION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

The undersigned, being Assignee of record of the entire interest in the below-identified patents and/or applications by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute and to transact all business in the Patent and Trademark Office connected therewith to the exclusion of the inventors.

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|----------------|------------|------------|----------|-----------|----------|
| 2500894.991370 | SYMM1370 | 08/664,705 | 06/17/96 | 5,764,704 | 06/09/98 |
| 2500894.991420 | SYMM1420 | 08/642,814 | 05/03/96 | 5,751,777 | 05/12/98 |
| 2500894.991421 | SYMM1420-1 | 08/850,149 | 05/02/97 | 5,943,381 | 08/24/99 |
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| 2500894.991430 | SYMM1430 | 08/467,313 | 06/06/95 | 5,828,670 | 10/27/98 |
| 2500894.991410 | SYMM1410 | 08/472,214 | 06/07/95 | 5,646,519 | 07/08/97 |
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| 2500894.991400 | SYMM1400 | 08/278,423 | 07/21/94 | 5,666,330 | 09/09/97 |
| 2500894.991391 | SYMM1390-1 | 08/385,066 | 02/07/95 | 5,457,729 | 10/10/95 |
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| 2500894.991380 | SYMM1380 | 08/471,410 | 06/06/95 | 5,638,379 | 06/10/97 |
| 2500894.991550 | SYMM1550 | 60/028,151 | 10/18/96 | NA | NA |
| 2500894.991551 | SYMM1550-1 | 08/950,429 | 10/15/97 | 6,125,125 | 09/26/00 |
| 2500894.991350 | SYMM1350 | 60/130,203 | 04/20/99 | NA | NA |
| 2500894.991351 | SYMM1350-1 | 09/344,301 | 06/24/99 | 6,742,835 | 04/20/04 |
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| 2500894.991110 | SYMM1110 | 60/130,088 | 04/20/99 | NA | NA |
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| 2500894.991111 | SYMM1110-1 | 09/553,735 | 04/20/00 | | |
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| 2500894.991360 | SYMM1360 | 09/176,128 | 10/21/98 | 6,166,608 | 12/26/00 |

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| 2500894.991120 | SYMM1120 | 60/173,232 | 12/28/99 | NA | NA |
| 2500894.991121 | SYMM1120-1 | 09/749,249 | 12/26/00 | 6,549,604 | 04/15/03 |
| 2500894.991122 | SYMM1120-2 | 10/345,600 | 01/16/03 | 6,707,329 | 03/16/04 |
| 2500894.991113 | SYMM1130 | 09/476,770 | 01/03/00 | | |
| 2500894.991140 | SYMM1140 | 60/193,061 | 03/29/00 | NA | NA |
| 2500894.991141 | SYMM1140-1 | 09/821,841 | 03/28/01 | 6,507,606 | 01/14/03 |
| 2500894.991142 | SYMM1140-2 | 10/284,057 | 10/30/02 | | |
| 2500894.991150 | SYMM1150 | 60/194,798 | 04/05/00 | NA | NA |
| 2500894.991151 | SYMM1150-1 | 09/802,484 | 03/09/01 | 6,512,803 | 01/28/03 |
| 2500894.991152 | SYMM1150-2 | 10/294,227 | 11/14/02 | | |
| 2500894.991160 | SYMM1160 | 60/199,930 | 04/26/00 | NA | NA |
| 2500894.991161 | SYMM1160-1 | 09/843,161 | 04/25/01 | | |
| 2500894.991170 | SYMM1170 | 60/197,993 | 04/18/00 | NA | NA |
| 2500894.991171 | SYMM1170-1 | 09/836,889 | 04/16/01 | abandon | abandon |
| 2500894.991180 | SYMM1180 | 60/198,988 | 04/21/00 | NA | NA |
| 2500894.991181 | SYMM1180-1 | 09/838,575 | 04/18/01 | | |
| 2500894.991190 | SYMM1190 | 60/213,779 | 06/23/00 | NA | NA |
| 2500894.991191 | SYMM1190-1 | 09/870,380 | 05/29/01 | abandon | abandon |
| 2500894.991200 | SYMM1200 | 60/220,640 | 07/25/00 | NA | NA |
| 2500894.991201 | SYMM1200-1 | 09/882,288 | 06/14/01 | | |

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| 2500894.991210 | SYMM1210 | 09/989315 | 11/20/01 | will issue | issue fee paid May 24, '04 |
| 2500894.991211 | SYMM1210-1 | 10/782,313 | 02/19/04 | | |
| 2500894.991212 | SYMM1210-2 | 10/782,441 | 02/19/04 | | |
| 2500894.991220 | SYMM1220 | 60/272,413 | 02/28/01 | NA | NA |
| 2500894.991221 | SYMM1220-1 | 09/993302 | 11/14/01 | | |
| 2500894.991230 | SYMM1230 | 60/272,412 | 02/28/01 | NA | NA |
| 2500894.991231 | SYMM1230-1 | 09/974177 | 10/10/01 | 6,490,296 | 12/03/02 |
| 2500894.991240 | SYMM1240 | 60/301,584 | 06/27/01 | NA | NA |
| 2500894.991241 | SYMM1240-1 | 10/140,611 | 05/07/02 | | |
| 2500894.991250 | SYMM1250 | 60/312,390 | 08/15/01 | NA | NA |
| 2500894.991251 | SYMM1250-1 | 10/117,354 | 04/05/02 | | |
| 2500894.991260 | SYMM1260 | 60/317,353 | 09/05/01 | NA | NA |
| 2500894.991261 | SYMM1260-1 | 10/156,217 | 05/28/02 | | |
| 2500894.991270 | SYMM1270 | 60/322,608 | 09/17/01 | NA | NA |
| 2500894.991271 | SYMM1270-1 | 10/156,171 | 05/28/02 | | |
| 2500894.991280 | SYMM1280 | 60/344,542 | 11/07/01 | NA | NA |
| 2500894.991281 | SYMM1280-1 | 10/145,247 | 05/14/02 | | |
| 2500894.991290 | SYMM1290 | 60/342,683 | 12/21/01 | NA | NA |
| 2500894.991291 | SYMM1290-1 | 10/324,912 | 12/20/02 | | |
| 2500894.991300 | SYMM1300 | 60/340,183 | 12/14/01 | NA | NA |
| 2500894.991310 | SYMM1300-1 | 10/320,312 | 12/16/02 | | |
| 2500894.991310 | SYMM1310 | 60/354,835 | 02/05/02 | | |
| 2500894.995131 | SYMM1310-1 | 10/349,579 | 01/23/03 | | |
| 2500894.991570 | SYMM1570 | 60/158,318 | 10/08/99 | NA | NA |

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| 2500894.991571 | SYMM1570-1 | 09/684,264 | 10/06/00 | abandon | abandon |
| 2500894.991330 | SYMM1330 | 60/358,549 | 02/21/02 | | |
| 2500894.991331 | SYMM1330-1 | 10/371,422 | 02/21/03 | | |
| 2500894.991340 | SYMM1340 | 60/367,536 | 03/26/02 | NA | NA |
| 2500894.991341 | SYMM1340-1 | 10/163,251 | 06/05/02 | | |
| 2500894.991580 | SYMM1580 | 60/697,702 | 07/22/02 | NA | NA |
| 2500894.991581 | SYMM1580-1 | 10/624,693 | 07/22/03 | | |
| 2500894.991590 | SYMM1590 | 60/414,490 | 09/27/02 | NA | NA |
| 2500894.991591 | SYMM1590-1 | 10/674,243 | 09/29/03 | | |
| 2500894.991600 | SYMM1600 | 60/441,327 | 01/21/03 | NA | NA |
| 2500894.991601 | SYMM1600-1 | 10/759,391 | 01/16/04 | | |
| 2500894.991610 | SYMM1610 | 09/338,074 | 06/23/99 | abandon | abandon |
| 2500894.991611 | SYMM1610-1 | 09/510,408 | 02/22/00 | 6,393,128 | 05/21/02 |
| 2500894.991612 | SYMM1610-2 | 10/043,811 | 01/10/02 | | |
| 2500894.991620 | SYMM1620 | 09/182,342 | 10/29/98 | 6,370,629 | 04/09/02 |
| 2500894.991630 | SYMM1630 | 60/486,965 | 07/14/03 | NA | NA |
| 2500894.991631 | SYMM1630-1 | 60/577,675 | 06/07/04 | NA | NA |
| 2500894.991640 | SYMM1640 | 60/198,917 | 04/20/00 | NA | NA |
| 2500894.991641 | SYMM1640-1 | 09/837,793 | 04/17/01 | | |

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| 2500894.991650 | SYMM1650 | 60/504,844 | 09/22/03 | NA | NA |
| 2500894.991660 | SYMM1660 | 60/547,211 | 02/24/04 | NA | NA |

The Assignee hereby revokes all previous Powers of Attorney (if any) and appoints the registered practitioner(s) assigned to **Customer No. 38396** and/or:

John J. Bruckner, Reg. No. 35,816,

each an attorney or agent of the law firm of JOHN BRUCKNER PC, to prosecute the above-identified patent(s) and/or application(s) and to transact all business in the Patent and Trademark Office connected therewith (Assignee's agent is authorized to make corrections to this document).

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Symmetricom, Inc., referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all telephone calls to John Bruckner at 512-694-9145. Please send all correspondence to:

John J. Bruckner
JOHN BRUCKNER PC
5708 Back Bay Lane
Austin, TX 78739-1723

ASSIGNEE:

Signed: 

Print Name: WILLIAM SCATT

Title: CFO

Assignee: Symmetricom, Inc.

Dated: 6/23/04

ASSIGNMENT:

☒ Concurrently filed
☒ Previously recorded
Date: 4/16/02
Reel: 012805
Frames: 0196